

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

P3 and P4, Individually and as Parents and Natural
Guardians of V2,

Plaintiffs,

Case # 21-CV-6494-FPG

v.

DECISION AND ORDER

HILTON CENTRAL SCHOOL DISTRICT, et al.,
Defendants.

Upon consideration of the Plaintiffs’ unopposed motion for approval of infant settlement and an award of attorneys’ fees, and the affidavits submitted in support thereof, brought pursuant to Local Rule of Civil Procedure 41(a)(1), between Named Plaintiffs P3 and P4, Individually and as Parents and Natural Guardians of V2 (“Plaintiffs”) and Defendants Hilton Central School District, Northwood Elementary School, and Casey Kosiorek (“Defendants”), and upon consideration of the supporting exhibits, and the Court finding that a hearing is not necessary, Plaintiffs’ motion for settlement approval, ECF No. 66, is GRANTED. The Court hereby FINDS and ORDERS the following:

1. The Court hereby approves, pursuant to Local Rule of Civil Procedure 41(a)(1), the terms of the proposed settlement of the above-referenced action involving claims by Plaintiffs, including the attorneys’ fees and disbursements to be paid out of the settlement, finding the terms thereof to be fair and reasonable. The proposed settlement was negotiated and entered into at arm’s length and in good faith, within the range of possible judicial approval, and the product of *bona fide* disputes and therefore approved. The Court hereby directs the consummation of the settlement’s terms and provisions.

2. The proposed settlement amount to be disbursed to V2, P3, and P4, included in the unredacted motion for settlement approval, that was the subject of the Court's Order, ECF No. 64, granting Plaintiffs' Motion to Seal, ECF No. 62, is hereby approved.
3. The proposed attorneys' fees, litigation expenses, and disbursements included in the unredacted motion for settlement approval, that was the subject of the Court's Order, ECF No. 66, granting Plaintiffs' Motion to Seal, ECF No. 62, are hereby approved.
4. The parties are hereby directed to file a joint stipulation of dismissal of Plaintiffs' claims, pursuant to Local Rule of Civil Procedure 41, within fourteen (14) days of the entry of this Order.

IT IS SO ORDERED.

Dated: June 1, 2023
Rochester, New York

A handwritten signature in black ink, appearing to read "Frank P. Geraci, Jr.", written in a cursive style.

HON. FRANK P. GERACI, JR.
United States District Judge
Western District of New York